



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
290 BROADWAY
NEW YORK, NEW YORK 10007-1866



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tilghman Frey, President
Frey Industries Inc.

Re: Riverside Avenue Site, Newark, Essex County, New Jersey
Request for Information Pursuant to the Comprehensive Environmental
Response, Compensation and Liability Act, 42 U.S.C. §§ 9601 - 9675

Dear Mr. Frey:

This letter seeks your cooperation in providing information and documents relating to the contamination of the Riverside Avenue Site in Essex County, New Jersey ("Site" as described in #4 of the definitions). The U.S. Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601, et seq. (also known as the "Superfund" law). For your information, a copy of the Superfund law may be found at www.epa.gov/superfund/action/law/index.htm.

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to the attached Request for Information to EPA **within thirty (30) calendar days of your receipt of this letter.**

At the request of the New Jersey Department of Environmental Protection ("NJDEP"), EPA conducted an investigation of the conditions at the Site, an abandoned industrial facility located 1700-1712 & 1702-1716 McCarter Hwy also known as 29 Riverside Avenue, (Block, 614, Lots 63,64), Newark, Essex County, New Jersey. As a result of these investigations, EPA has documented the release and threatened release of hazardous substances into the environment at the Site.

Under Section 104(e) (2) of CERCLA, 42 U.S.C. § 9604(e) (2), EPA has broad information gathering authority which allows EPA to require persons to provide

information and/or documents relating to the materials generated, treated, stored, or disposed of at or transported to a facility, the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility, and the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, your compliance with the attached Request for Information is required by law. When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return that Certification to EPA along with your response. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with a Request for Information.

Some of the information EPA is requesting may be considered by you to be confidential business information. Please be aware that you may not withhold the information on that basis. If you wish EPA to treat all or part of the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions included in the attached information request, including the requirement of supporting your claim of confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the material stored at the Site, that information should be submitted within the time frame noted above.

Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by our Request for Information, it is necessary that you promptly notify EPA.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §3501 et seq.

Your response to this Request for Information should be mailed to:

William J. Reilly, Jr.,
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 17th Floor
New York, New York 10007-1866

A copy of your reply should be sent to:

Ms. Marissa Truono
Removal Action Branch
U.S. Environmental Protection Agency, Region II
2890 Woodbridge Avenue, Bldg 205
Edison, New Jersey 08837

If you have any questions regarding this Request for Information, or would like to discuss this matter with EPA, please contact Mr. Reilly at (212) 637-3154.

We appreciate and look forward to your prompt response to this matter.

Sincerely yours,

Walter E. Mugdan, Director
Emergency and Remedial Response Division

Enclosures

ATTACHMENT A

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

DIRECTIONS

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Request for Information. For each question contained in this letter, if information responsive to this information request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. Precede each answer with the corresponding number of the question and the subpart to which it responds.
3. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees and/or agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered non-compliance with this Request for Information. Whenever in this Request for Information there is a request to identify a natural person or an entity other than a natural person, state, among other things, the person or entity's full name and present or last known address.
4. Identify Sources of Answers. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.
5. Inability to Answer or Provide Documents. If you are unable to answer a question in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any question, state that person's name and last known address and telephone number and the reasons for your belief.
6. Documents. If anything is deleted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the deletion. If a document is requested but is not available, state the reason for its unavailability.
7. Continuing Obligation to Provide and to Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, EPA hereby requests pursuant to Section 104(e) of CERCLA that you supplement your response to EPA.
8. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information

requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§ 9604(e)(7)(E) and (F), and Section 3007(b) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(b), and 40 C.F.R. Part 2.203(b). To prove your claim of confidentiality, each document must separately address the following points:

- a. the portions of the information alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by you to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether you assert that disclosure of the information would be likely to result in substantial harmful effect on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "CONFIDENTIAL" on all confidential responses and any related confidential documents. Confidential portions of otherwise nonconfidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit in separate envelopes both a clean and a redacted version of any documents or response for which you make a claim of confidentiality.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by EPA only to the extent permitted by Section 104(e) of CERCLA. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

9. Disclosure to EPA Contractor. Information which you submit in response to this Request for Information may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. Part 2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that EPA intends to disclose all responses to this Request for Information to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Request for Information. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (14) days of receiving this Request for Information.

10. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."
11. Objections to Questions. If you have objections to some or all the questions within the Request for Information letter, you are still required to respond to each of the questions.

DEFINITIONS

The following definitions shall apply to the following words insofar as they appear in this Request for Information.

1. The terms "you," shall mean Frey Industries Inc.
2. The terms "the Company," "your Company," or "Frey" shall mean Frey Industries Inc. and refer not only to the addressee as it is currently named and constituted, but also to all predecessors or successors in interest, and all subsidiaries, divisions, affiliates, and branches of the addressee and their predecessors or successors in interest. The term "Company" is not limited to corporations.
3. The term "person" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.
4. The term "the Site" shall mean the Riverside Avenue Site, which includes property and buildings numbered 7/8 and 12 located at 1700-1712 & 1702-1716 McCarter Hwy. also known as 29 Riverside Avenue (Block 614, Lots 63,64), Newark, Essex County, New Jersey.
5. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including but not limited to containers for temporary or permanent holding of such wastes.
6. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum products or other nonhazardous substances. The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA, 42 U.S.C. § 9602(a), (which, in turn, comprise a portion of the substances that fall within the definition of "hazardous substance" under Section 101(14) of CERCLA) are set forth at 40 C.F.R. Part 302.
7. The terms "hazardous waste" shall have the definition as that contained in Section 1004(5) of RCRA, 42 U.S.C. § 6903(5).

Comment [P1]: M: I'm not aware that there is a Bldg. #7/8. It's only identified as Bldg #7 Pk see Comment Page 6 below.

8. The term "industrial waste" shall mean any solid, liquid, or sludge or any mixtures thereof which possess any of the following characteristics:

Comment [P2]: I've never seen this defined before. It seems to be a hybrid definition from RCRA, CERRCLA, TOSCA, and DOE...

- a. it contains one or more hazardous substances (at any concentration);
 - b. it is a hazardous waste;
 - c. it has a pH less than 2.0 or greater than 12.5;
 - d. it reacts violently when mixed with water;
 - e. it generates toxic gases when mixed with water;
 - f. it easily ignites or explodes;
 - g. it is an industrial waste product;
 - h. it is radioactive;
 - i. it is an industrial treatment plant sludge or supernatant;
 - j. it is an industrial byproduct having some market value;
 - k. it is coolant water or blowdown waste from a coolant system;
 - l. it is a spent product which could be reused after rehabilitation; or
 - m. it is any material which you have reason to believe would be toxic if either ingested, inhaled, or placed in contact with skin.
9. The term "identify" means, with respect to a natural person, to set forth:
- a. the person's full name;
 - b. present or last known business and home addresses and telephone numbers;
 - c. present or last known employer (include full name and address) with title, position, or business.
10. With respect to a corporation, partnership, or other business entity (including a sole proprietorship), the term "identify" means to provide its full name, address, and affiliation with the individual and/or company to whom/which this request is addressed.
11. The term "entity" or "entities" refers to persons, individuals, companies, partnerships, or any other type of business association.
12. The term "documents" includes any written, recorded, computer-generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control or known by you to exist, including originals, all prior drafts, and all non-identical copies.
13. The term "arrangement" means every separate contract or other agreement between two or more persons, whether written or oral.
14. The terms "material" or "materials" mean any and all objects, goods, substances, or matter of any kind, including but not limited to wastes.
15. The term "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers,

and other closed receptacles containing any hazardous substance or pollutant or contaminant.

16. The term "pollutant or contaminant" includes, but is not limited to, any element, substance, compound, or mixture, including disease-causing agents.
17. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions shall apply.

ATTACHMENT B

REQUEST FOR INFORMATION

Answer the following questions regarding your Company. Your answers should relate to Frey Industries Inc. ("Frey") and all its predecessors or successors in interest as defined, above, in number 2 of the definitions section. Your answers to this Information Request should pertain ~~be limited~~ to "the Site", which is defined as the property and buildings numbered 7/8 and 12 located at 29 Riverside Avenue (Block 614, Lots 63,64), Newark, Essex County, New Jersey. Also, for each response be specific as to the building number(s) and/or the Block and Lot number(s) whenever possible.

Comment [P3]: M: I'm not aware of any building "7/8". There's only Bldg #7 and Bldg #12. If you have any docs to the contrary then let's keep your designation of "7/8".

1. Answer the following questions regarding the Company. In identifying a company that no longer exists, provide all the information requested, except for the agent for service of process. If the Company did business under more than one name, list each name.
 - a. State the correct legal name and mailing address of the Company, and identify the state and date of incorporation of your Company, and your Company's agents for service of process in the state of incorporation, and in New Jersey, and the status of the corporation;
 - b. State the name(s) and address(es) of the President, Chief Executive Officer, and the Chairman of the Board (or other presiding officer) of your Company. For each officer, indicate his or her dates of service with the company;
 - c. If the Company is represented by counsel, please provide the name, address and telephone number of the Company's attorney.
 - d. Identify the nature of the business and operations conducted by your Company and the location of its facilities;
 - e. If your Company is a subsidiary or affiliate of another corporation or other entity, identify each of those other entities and those entities' Chief Executive Officers or other presiding officers. Identify the state of incorporation and agents for service of process in the state of incorporation and in New Jersey for each entity identified in your response to this question; and
 - f. Identify whether your Company has been the subject of, or otherwise involved in a bankruptcy filing under the United States Bankruptcy Code, 11 U.S.C. § 101-1330. If not, does your Company anticipate filing a petition under the Bankruptcy Code within the next six months? If your Company has been the subject of or otherwise involved in a bankruptcy filing, state when the case was filed, identify the name of the debtor(s), and the chapter of the Bankruptcy Code under which the bankruptcy was filed, and provide copies of all bankruptcy petition(s) and schedules which

have been filed by or with respect to the company. In addition, state the current status of any such bankruptcy proceedings.

2. Describe how and when Frey Industries began operations at the Site which includes the property and buildings numbered #7/8 and #12 located at 1700-1712 & 1702-1716 McCarter Hwy also known as 29 Riverside Avenue (Block 614, Lots 63, 64) in Newark, New Jersey.
3. Describe in detail the nature of the business of your Company during the years 1983 through 1999. If the nature of your Company's business has changed over the years, please so indicate and describe the various business activities in which your Company has been involved.
4. Does Frey exist today? If not, what state the date year did your Company's operations cease at the Site? Describe the circumstances that precipitated the termination of operations at the facility and the date the facility was vacated. Provide a detailed description of all activities undertaken by Frey or a successor or affiliate related to the cessation of operations at the Site.
5. Describe in detail Frey's past and current relationship with Jobar Industries, Inc./Jobar Packaging Inc. ("Jobar") and the facility located at Site and provide the following information: Respond, for instance to each of the following questions:
 - a. State the date on which Frey acquired ownership or an interest in Jobar and the facility. State the prior owners, if any, of Jobar and the facility. Submit a copy of all documents relating to Frey's purchase of Jobar and the facility.
 - b. Did the company sell or otherwise divest itself of any stock, assets, or other interest in Jobar or any other company which operated a manufacturing facility at the Site.
 - c. If the answer to (a) is "yes", fully describe the nature of the sale and/or transaction. State if the transaction consisted of a merger, consolidation, sale or transfer of assets, and submit all documents relating to such transaction, including all documents pertaining to any agreements, express or implied, for the purchasing corporation to assume the liabilities of the selling corporation.
 - d. Did Frey retain the liabilities of the Jobar for events prior to the sale?
6. Describe in detail the nature of the business arrangement between the following entities and your Company:
 - a. Berol
 - b. Chemisphere

Comment [P4]: Same Comment as below.

- c. Baron-Blakeslee Co.
- d. Drew Chemical
- e. BASF
- f. General Electric Co
- g. Monsanto
- h. Huls America
- i. RhineChem
- j. Klockner
- k. Miles
- l. Hexagon
- m. Hoffman LaRoche
- n. Kramer Chemical
- o. Sherex/Witco
- p. Union Carbide
- q. Mobay Chemical
- r. Ashland Chemical
- s. Dow Chemical
- t. Arco
- u. Olin
- v. Whittaker Co.; and
- w. V. W. & R

7. For each entity ~~business~~ identified in question 6 above, ~~which your Company had a transaction,~~ answer the following: ~~business or businesses and answer each of the questions below.~~

- a. Did your Company provide warehousing, distribution or repackaging services for the entity business?
- b. Did your Company provide warehouse storage of the entity's raw materials and product at your facility? If yes, what was done with the ~~business's~~ off-spec, unusable, or obsolete materials?
- c. Did your Company provide repackaging and drumming services for the entities? If yes, what was done with the contents of all transfer lines and washings from the lines?
- d. Did your Company ever do "tolling work" as part of its normal business operations ~~for the business?~~ If the answer is "yes" please explain the arrangement, the chemicals material that you received, what was done to the chemicals, ~~material,~~ the chemicals ~~material that~~ you returned, and to whom it was returned. Also please provide copies of the shipping documents under which the materials were transported.
- e. During what years did your Company have chemicals transactions with the entities? ~~business?~~

Comment [P5]: I think we need to limit our scope specifically to chemicals.

- f. What was the frequency of how often, e.g. instances per year or per month, did the chemical transactions between the Company and the entity?
 - g. For each entity, what was the average volume of chemicals processed by the Company ~~amount transferred~~ during each transaction?
 - h. Please provide all available records for each of these transactions identified in 7(a)-(h), above, including the dates, amount paid or collected in connection with each transaction, the method of payment, and the person whom you dealt with at the business.
8. Provide a list of any of the Company's other customers **not** listed in question # 6 above. For each customer you list answer questions 7(a)-(h), above. Include copies of any contracts or written agreements you had with any of these customers.
 9. Describe in detail the nature of the repackaging process(es) conducted at the Site, including but not limited to:
 - a. the procedure(s) followed by Frey employees in the transfer ~~operation~~ and repackaging of chemicals from bulk storage containers to smaller containers;
 - b. what was done with the transfer line washings;
 - c. any products or byproducts of the chemical transfer operations(s);
 - d. provide a copy of the written procedure(s) Frey employees were to follow regarding the transfer of chemicals into small containers, the procedure(s) for flushing chemical transfer lines following a transfer, and instructions regarding the storage and labeling of any container of line washings.
 10. Describe any operations conducted by Frey that involved the use of the following:
 - a. ~~the~~ storage tanks located in the basement of Building #7;
 - b. ~~the~~ storage tanks located on the 2nd and 3rd floors of Building #7;
 - c. ~~the~~ storage tanks located in the basement of Building #12; and
 - d. ~~the~~ underground storage tanks located in the parking area adjacent to Building #12.
 11. Describe any operations conducted by Jobar that involved the usage of the following:

Comment [P6]: Frey always claimed that he had an 'agreement' with his customers that they would accept the return of the line washings, but none of them could corroborate this 'agreement'.

- a. the storage tanks located in the basement of Building #7;
 - b. the storage tanks located on the 2nd and 3rd floors of Building #7;
 - c. the storage tanks located in the basement of Building #12; and
 - d. the underground storage tanks located in the parking area adjacent to Building #12.
12. EPA has information that ten 12,000 gallon underground storage tanks are on the property in front of building number 12 containing liquid hazardous substances, two approximately 10,000 gallon sumps containing aqueous waste are beneath building number 7/8, and approximately eighty-five 1000-3000 gallon abandoned process vessels were found in building number 7/8.

Comment [P7]: I'm not sure we want to give him this info as it may lead or coach him into a certain response.

HOW ABOUT THIS INSTEAD:

- 12 Provide any information you have regarding the contents of ten underground storage tanks on the property in front of Bldg. #12. The information concerning these tanks, should include, but not be limited to what was stored in them, whether they were ever checked for leaks, and were they ever removed. Provide all relevant documentation including maps or diagrams showing the location of these tanks, sumps and/or vessels. Also provide the name(s) of any employees or officers of the Company who had direct control of how the contents of these tanks would be managed as part of your normal business operations.
13. State the years Frey leased any part of the property and/or buildings at the Site and from whom it was leased.
- a. Describe in detail the condition of the property and/or the buildings at the time Frey entered into any lease.
 - b. Describe in detail the condition of the property and/or buildings at the Site at the time Frey vacated the property.
 - i. Did Frey conduct any inspections, assessments or investigations of the Site prior to vacating the Site?
 - a. If yes, describe the results of the inspections, assessments or investigations and who conducted them. Provide all relevant documentation.
 - ii. Did Frey conduct any cleanup of hazardous substances at the Site prior to or in conjunction with vacating the Site?

Comment [P8]: We want to obtain information from Respondents that are not only truthful but also damaging to them later on in cost recovery. If you lead them too much then they'll couch their response either vaguely or in a light favorable to them.

- a. If yes, describe the remediation/action conducted at the Site and the date(s) that the action(s) took place. Provide all relevant documentation.

Provide all relevant documentation including but not limited to lease agreements, maps, diagrams, photos or other documentation evidencing the condition of the property and buildings during the time frames specified in 13(a)-(b), above. Also, provide the identity of any environmental contractors or consultants employed by Frey with regard to the Site. ~~and~~ Provide all letters, reports and conclusions issued by consultants or contractors regarding the Site.

14. Describe any arrangement between Frey and the City of Newark ("the City") pursuant to which Frey continued to occupy the Site after the date(s) on which the City acquired title to the Site ~~property. Again,~~ Be specific as to the building number(s) and Block and Lot number(s) and include:
 - a. The time period that Frey occupied the Site?
 - b. Whether there were any monetary payments or consideration made by Frey to ~~be made~~ for the right for the continued ~~to occupy~~ and use the Site?
 - c. If payments were made, provide an accounting ~~of any payments made to the City and/or other consideration~~ given to the City.
 - d. Any ~~Whether there were any other~~ substantive conditions of continued occupancy and use, such as a requirement to purchase insurance, maintain the property, including all of the storage tanks.
 - e. Provide a copy of any written arrangements pursuant to which Frey, continued to occupy the Site at any time after the City acquired title.
15. Describe in detail the condition of the property ~~and/or~~ buildings at the Site when ~~the time~~ Frey vacated the property. Be specific as to the building number(s) and the Block and Lot(s) when describing the Site's condition.
 - a. Were there any above-ground or underground storage tanks, drums or other vessels on the property at the time it was vacated?
 - b. If so, describe the location and condition of any such tanks, drums and/or vessels and identify the contents of each.
16. Did Frey arrange for, contract for, facilitate, or pay for the off-Site disposal of chemicals ~~materials~~ discarded or disposed of at the Site, at any time? Be specific as to the building number(s) and Block and Lot number(s), list the ~~provide:~~ ~~chemicals~~ and ~~or~~ time period during which Frey Industries disposed of these chemicals ~~material(s)~~, or arranged for disposal of chemicals ~~material(s)~~, or ~~arranged for disposal of materials(s)~~, at the Site.

17. Describe the methods of collection, storage, treatment, and disposal of all hazardous substances, pollutants or contaminants at the Site (~~i.e., buildings 7/8 and/or 12 at 29 Riverside Avenue (Block 614, Lots 63,64) in Newark, New Jersey~~). Your response should be specific as to time frames, the Block and Lot number(s), and, where applicable, the building(s) utilized, and include information on the following:

Comment [P9]: We don't want to limit his reply to just haz subs 'cause not all of his chems were haz subs, some were RCRA, TOSCA etc.

Comment [P10]: This is kind of redundant since the Site has already been defined.

- a. How residues, by-products, and off-spec products were disposed of at the Site.
- b. What processes were used to treat your waste at the Site? What was done with the waste after it was treated?
- c. What storage practices were employed by your Company at the Site? Your response should include all storage activities inside and outside the Site's buildings.
- d. Identify all persons who had any responsibility or authority over ~~knowledge~~ of the treatment, storage, or disposal of hazardous wastes, substances, contaminants, or pollutants at the Site.
- e. If hazardous wastes ~~substances~~ were transported off-Site by a hauler or transporter, provide documentation of the name and addresses of the waste hauler, where the hazardous substances were stored for collection by the hauler, and the location of the ultimate disposal of these wastes.

Provide all relevant documentation responsive to question 17(a)-(e), above, including the dates, amounts paid, bills of lading, manifests, etc., which identify the source of drums, tanks, and other chemical containers transported for disposal. ~~accepted by the Company or for which the Company arranged for disposal.~~

18. For each hazardous substance, pollutant, or contaminant identified by you, provide the total amount generated during your operations at the Site on an annual basis. In the absence of all relevant documentation provide your best estimate based on the company's normal operations ~~practice during varying years~~ and state the basis of ~~for your estimate~~.
19. Identify and describe fully all leaks, spills, explosions, fires or other ~~incidents of accidental chemical material~~ discharges or releases that occurred at the Site involving ~~during which or as a result of which any~~ hazardous substances, pollutants, or contaminants. ~~were released on the property.~~
- a. For each incident be specific as the Block and Lot(s) and/or the building number(s) where it occurred.

- b. Provide the results of any sampling of the soil, water, air or other media after any such incident and before and after clean-up at the Site.

Pursuant to the authority in Section 104(e)(2)(C) of CERCLA, 42 U.S.C. §604(e)(2)(C), EPA may require any person to furnish information relating to the ability of a person to pay for or to perform a cleanup. Therefore, please answer all of the following questions.

- 20. State whether there currently are or ever have been any insurance policies in effect that may indemnify the Company against any liability that the Company may incur in connection with the release of any hazardous substance at the Site. If your answer to this question is in the affirmative, please provide:

- a. the name and address of the insurance carrier;
- b. the policy number;
- c. the period during which the policy was in effect, including the expiration date;
- d. the occurrence limits of each policy; and
- e. state whether the Company has copies of all policies.

For any policy that you cannot locate or obtain, provide the name of the carrier, years in effect, nature and extent of coverage, and any other information you have. EPA may request copies of all relevant policies at some future date.

- 21. Did or does there exist any agreement or contract (other than an insurance policy) that may indemnify the Company or may require the Company to indemnify another person or any entity against any liability the Company may incur in connection with a release or threatened release of a hazardous substance at the Site? If your answer is in the affirmative, please provide a copy of all such agreements or contracts.
- 22. Identify each individual who assisted or was consulted or who answered on behalf of the Company in preparation of any of its responses to this Request for Information, and indicate the responses on which he or she assisted or was consulted.
- 23. Identify all individuals (other than those identified in your response to question 22) who may have information or documents relating to the subject of this Request for Information, and/or the generation, handling, storage, transportation or disposal of the hazardous substances or industrial wastes located at the Site.
- 24. Provide any additional information or documents that may help EPA identify other persons that may have been the source of, or otherwise responsible for, the hazardous substances or industrial wastes located at the Site, and identify the source of the information or documents.